

Bellwether Limited Partnership
1518 Forest Drive
Rapid City, South Dakota 57701

July 24, 2011

Rapid City Council
300 6th Street
Rapid City, South Dakota 57701

To whom it may concern,

We recently received a notice for an appeal of the of Planning Commission Decision for file number 11UR014. We are opposed to an on-sale liquor establishment being built at this locations for several reasons.

First, we have recently built apartments in the basement of 717 Meade, Suite 300 for several mentally-handicapped young men around the ages of 25-30. At the time these apartments were built, we felt like the immediate neighborhood was fairly safe and free of traffic. These young men do not have the judgement ability that non-disabled people have; it seems counterproductive to build this type of establishment directly across the street.

Community Health's Pediatric Clinic, Rapid City Regional's Education and Research Departments, Pine Peaks Dental Office and Dr.Rempel's (D.D.S.) office - five of our commercial rentals - as well as our business, West River Dermatology, are all located across the street from this proposed establishment. To build a bar/casino across the street from a pediatric facility also seems obviously counterproductive. Additionally, these quiet, low-traffic-flow professional offices and the surrounding neighbors have existed well together, without changing the character or safety of the neighborhood. We feel this establishment has the potential to change that.

Since we carry the liability for whomever is in our parking lot, we are also very concerned about parking issues. Our property has the most parking spaces in the area, and already we have had problems with overflow parking from Sonic and even from Casa Real, which is across Mt. Rushmore Rd. from our lot.

We are very much in favor of seeing progress in Rapid City, but this does not seem like the appropriate location, given the existing residential and professional character of the neighborhood and the current zoning, to put an on-sale liquor establishment . With that in mind, we are even more concerned that this could be allowed with insufficient buffering.

Sincerely,

Janice and Roger Knutsen
Bellwether Limited Partnership

TO: MEMBERS OF THE RAPID CITY COUNCIL

RE: 11UR014 - - APPEAL OF PLANNING COMMISSION
CONDITIONAL USE PERMIT APPLICATION
703 - 705 Indiana Street



This Conditional Use Permit for a Casino has been around since 2006 when it was first denied by the Council. It was denied by the Planning Commission in June, 2010 and again July 7, 2011. The latest denial has now been appealed to the Council.

I sincerely hope you have been able to review the records and personally inspected the area in question. My "neighborhood" has undue concentration of casinos at this time. The casinos are Toby's, Colonial House, Rodeway, Casa Real, Eighth Street Casino and Smiley's could be next. To allow a new casino less than 100' from Toby's Casino is most certainly inappropriate and is "undue concentration". If you allow them to build their casino within 100' of an operating casino, you are encouraging other owners to do the same thing! If this casino is permitted and the property owners do not rent the north part of their casino - what is to stop them from asking to convert the unused portion of their building into yet another casino?? Will we be seeing back to back casinos all other town - -

The one casino in our neighborhood does jeopardize the value of our property - if you allow two casinos within 100' - our property values will certainly be adversely affected. This could very well be the beginning of the end of our residential neighborhood - things will never be the same. In addition to their casino, they want to install a large lighted sign at the northeast corner of the property - wow, that will really make the property owners happy to have their neighborhood lighted up with a big sign.

Interim Health Care directly west of the proposed location has expressed their objection to this business. In Dr. Knutsen's medical complex to the north, they have expressed their objection as well. These are two commercial property owners who are not objecting to a commercial business but to the "casino type" business.

As property owners we deserve the right to enjoy our homes without the intrusion of more casinos - - we do not need two casinos and 40 video lottery terminals in this one block area - this is undue concentration and unfair to our neighborhood!

It is time for Rapid City to step up and be in charge of all alcohol/video lottery casinos in this town! Please remember that our ward has only one representative to represent us. I am asking for the support of all council members to deny this appeal. Thank you.

Twylah Luedtke
633 Indiana Street
342-3055



TO: MEMBERS OF THE RAPID CITY COUNCIL
RE: 11LUR014 - Hearing on Appeal for video lottery casinos 703-705 Indiana

I have attached a drawing showing the proposed area regarding the above matter. There are already 4 casinos on Mt. Rushmore Road between Cleveland Street and Flormann Street.

This item was denied by the Planning Commission, appealed to the Council and the Council continued this item until September 6. Applicant wants the Council to give him approval to construct a new building at 703 and 705 Indiana Street - approximately 100' north of Toby's Casino. The south half is for *two* separate casinos - each casino will have 10 video machines (a total of 20 machines) and the north half of the building is to be a rental.

Next, please refer to Seventh Street - between Cleveland and Indiana. Toby's Casino is an established casino at 710 Cleveland Street, which opened about 15-16 years ago. About a year and a half ago, Toby's Casino obtained another video lottery license and opened a second casino in the north end of his building. Each casino has 10 video machines - a total of 20 video machines in one building. For Toby's to get city approval to open a second casino in the north end of their building, they were required to have a separate entrance, a separate address, a separate malt beverage license, a separate sales tax license - everything that was required for the first casino was required for the second casino, *EXCEPT they did not have to notify any of the property owners that they were opening another casino in the same building.* Toby's did what was required and got a second casino.

It is pretty easy to see that with Toby's 20 video machines and the 20 proposed video machines to be located within 100' feet of each other - is in reality **4 casinos with 40 video machines!!** This can only be considered undue concentration!

Toby's Casino did not have to notify surrounding neighbors when they "added" an additional casino to their building. If the Applicant is not able to rent the north part of the building what is to stop them from adding another casino to the building without any requirement of notifying the surrounding neighbors of their intentions? If you open the door for undue concentration at this location, you are opening the door for all other locations as well!

Please do not permit two more casinos to be built at this location.

Twylah Luedtke - 633 Indiana
342-3055

11UR014

RUSHMORE ROAD CASINOS

- #1 Colonial House
- #2 CasaReal
- #3 Happy Jack's
- #4 Regency/Rodeway

4 CASINOS ON MT. RUSHMORE ROAD BETWEEN CLEVELAND AND FLORMANN

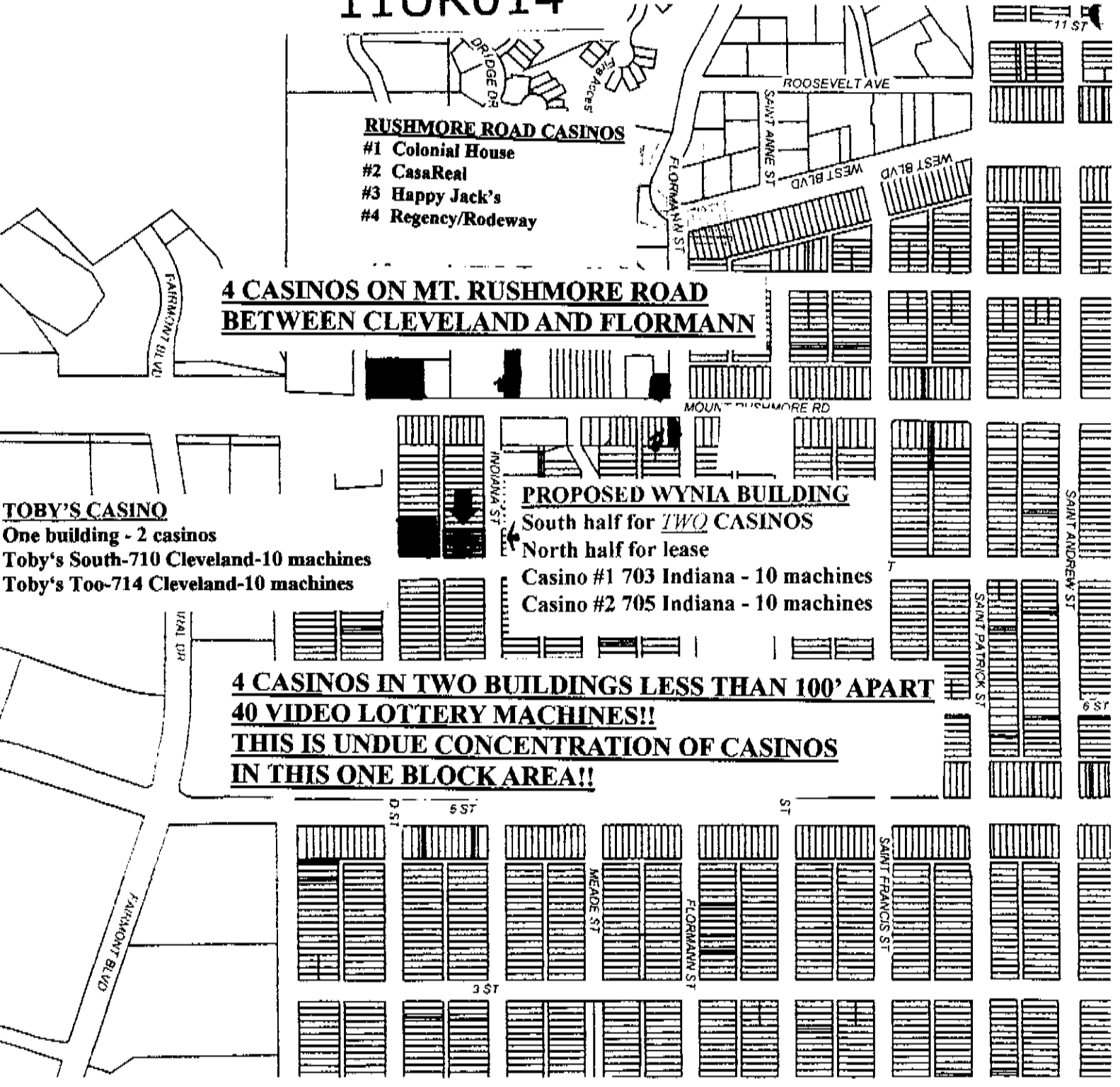
TOBY'S CASINO

- One building - 2 casinos
- Toby's South-710 Cleveland-10 machines
- Toby's Too-714 Cleveland-10 machines

PROPOSED WYNIA BUILDING

- South half for TWO CASINOS
- North half for lease
- Casino #1 703 Indiana - 10 machines
- Casino #2 705 Indiana - 10 machines

4 CASINOS IN TWO BUILDINGS LESS THAN 100' APART
40 VIDEO LOTTERY MACHINES!!
THIS IS UNDUE CONCENTRATION OF CASINOS
IN THIS ONE BLOCK AREA!!



July 29, 2011

To: Members of the Rapid City Council

From: Rich Kucera, Property Owner, 725 Indiana

Re: Appeal for Request #: 11UR014, Agenda Item #71 @ the 8/1/2011 Council Meeting

The above referenced issue is in regard to a request for an on-sale liquor permit/casino establishment to be constructed @ 703/705 Indiana Street. I object to the granting of this permit for the following reasons:

- This area has an established character of single family residential homes and non-liquor businesses (home health next door, dental & dermatology across the street & fast food (McDonalds, Arbys, Sonics)) on Mt. Rushmore Road. A casino/liquor establishment already exists across the alley to the South (Toby's - which supports my 2nd reason for objecting - following). Another casino in this immediate vicinity is not compatible with the prevailing, established character of the area.
- There already are a number of casinos in the area: Toby's, Colonial House, RoadWay Inn, Casa Real & 8th Street Lounge. Toby's would be directly across the alley from the proposed establishment. The increase in traffic, noise & light created by the increasing concentration of casinos in a finite proximity would adversely impact the homes & businesses already existing/operating in this area.
- Not only would there be an increase in unwanted traffic, noise & light; these nuisances would be occurring mostly "after hours". This activity is certainly not compatible with the adjacent residential neighborhood and increases the potential for vandalism to all surrounding properties.

I respectfully submit this objection to the granting of the conditional use permit for the on-sale liquor establishment @ 703/705 Indiana Street. If you have access to my previous objections to this request, you will see that I have managed to curb my emotion in the above presentation. Having spent several (previous) years in close proximity to a liquor establishment, it is difficult to forget the noise, congestion, fights, trash, reckless driving, property damage & general disregard by local patrons for adjacent properties that alcohol can create. I can generally be reached @ 348-5885.

Thank you.

Rich Kucera, JRK Ventures, LLC

From: Gary and Carol Misterek [<mailto:misterek@rap.midco.net>]

Sent: Wed 8/24/2011 9:58 PM

To: Brown Gary; Doyle Charity; Nordstrom Ritchie; Davis Dave; Wright Jerry; Mason Jordan; Roberts John; Roberts John; Petersen Bonny; Sasso Ron

Subject: Casino issue on Indiana Street

I am writing to each of you to express my opinion about the proposal of Steve Wynia and Damon Reel to build a casino on the vacant lot of 702 and 705 Indiana Street. I am personally against this casino for the following reasons:

- We do not need another casino in this town. We have too many as it is and I believe we need to establish some hard guidelines about approving any more;
- I went through the McDonald's drive thru recently and, while waiting in line, I looked down at that vacant lot. I could see how devastating it would be for that neighborhood to have a strip mall with a casino built right across the street, as well as so close to all of the businesses near there. I suggest each of you drive up there some time and have a look from that view.
- Another casino is only 100 feet away. And, there are many others in the Mt Rushmore Road area already;
- The Planning Commission denied the current application so I feel you should take their considerations in this denial very seriously;
- When the application was denied, then appealed to the City Council, the Council was basically threatened with a lawsuit if they did not approve the application. I feel Bonnie Petersen's response to this threat was appropriate when she said: "It is the lawyers' job to sue. It's the council's job to stand up for the citizens." Please stand up for the citizens of Rapid City, especially the residents and businesses near the vacant lot.
- Since 2006, these two men have tried building this casino on this vacant lot and have been denied. There are reasons. Please study this issue very carefully.
- Steve Wynia has offered to turn the strip mall building in a different direction so that the back of it faces the residential area. But, a casino is a casino, no matter which way it faces.
- And, considering how many thefts have happened recently at casinos, do we want something like this to be happening near a residential area?

Thank you for listening to my thoughts.

Carol M Misterek
18 Wyoming Street
Rapid City SD 57701
605-341-6952
misterek@rap.midco.net

From: Rapdcity [<mailto:rapdcity@enetis.net>]

Sent: Fri 9/2/2011 11:28 AM

To: Brown Gary; Doyle Charity; Nordstrom Ritchie; Davis Dave; Wright Jerry; Mason Jordan; Roberts John; Petersen Bonny; Sasso Ron

Subject: 11UR014 - Conditional Use Permit for Video Lottery Casinos @ 703-705 Indiana

I am Rich Kucera, owner of the property & business @ 725 Indiana (bordering these two lots).

It has come to my attention this issue might still be alive. In addition to the previous appeals I have submitted, I would like to reiterate my opposition to the creation of a bar/casino(s) next door to my home health agency (Interim HealthCare) @ 725 Indiana.

I have met no one in this area in favor of this proposal. I hope democracy can still prevail & those of us who must live &/or work in this area will be able to protect the perceived value of our properties & work environment by having our pleas heard.

Thank you for your consideration. Have a great Labor Day.

Rich Kucera
725 Indiana